

11-21-01

A



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. CLW 2 0098-1-2

Prior application:

Examiner: C. Atkinson  
Art Unit: 3743



The Assistant Commissioner for Patents  
Washington, D.C. 20231  
**Box Patent Application**

c/o Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

Sir:

This is a request for filing a **divisional application** under 37 C.F.R. 1.53(b), of pending prior application U.S. Serial No. 09/770,021, filed on January 25, 2001, which is a continuation application of U.S. Serial No. 08/329,124, filed on October 25, 1994 (now U.S. Patent No. 6,209,622), and which claims priority from Canadian Application Serial No. 2,134,168, filed October 24, 1994, of Frederic Lagace, et al.

For: **VENTILATION SYSTEM**

1. xxx Enclosed is a complete copy of the prior application, including the oath or declaration as originally filed (65 pages specification, 27 pages claims, 1 page Abstract, and 18 sheets of drawings (Figures 1-27)).
2. xxx A Substitute Specification (60 pages specification, 1 page Abstract) Under 37 C.F.R. 1.125(b) is enclosed and includes no new matter. The substitute specification essentially incorporates the changes submitted in the Preliminary Amendment mailed January 25, 2001 in the '021 application. In addition, the substitute specification is submitted in clean form (60 pages specification, 1 page Abstract) without markings as to amended material. The paragraphs of the substitute specification have been numbered so that any further amendment can be made by replacement paragraph.
3. xxx Cancel in this application original claims 1-34 of the prior application before calculating the fee. (At least one original independent claim must be retained for filing purposes.)

### CERTIFICATE OF EXPRESS MAIL

I hereby certify that this TRANSMITTAL LETTER and all other documents indicated therein as being enclosed, CONTINUATION APPLICATION, and FILING FEE, are being deposited with the United States Postal Service by Express Mail Procedure in an envelope addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231 on November 20, 2001. Express Mailing Label No. EL672001404US

Mary M. Schriner

4. xxx The filing fee is calculated below.

CLAIMS AS FILED IN THE PRIOR APPLICATION LESS ANY CLAIMS CANCELED BELOW			
Basic Filing Fee (Large Entity)		\$ 740.00	
		No. of Extra Claims Present	Additional Rate
Total Claims	18 - 20	0 x 18.00	\$ 0.00
Indep. Claims	4 - 3	1 x 84.00	\$ 84.00
		<b>Total fee</b>	<b>\$ 824.00</b>

5. xxx A check in the amount of \$ **824.00** is enclosed.
6. xxx The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 06-0308.
7. xxx Priority of application serial no. 2,134,168, filed on October 24, 1994 in Canada is claimed under 35 U.S.C. §119. The certified copy has been filed in prior application U.S. Serial No. 08/329, filed October 25, 1994.
8. xxx The power of attorney in the prior application is to Ronald S. Kosie, Reg. No. 28,814; Robert Brouillete, Reg. No. 31,930; and Timothy E. Nauman, Reg. No. 32,283. A copy of the power in the prior applications is enclosed. Please address all future communications to

Timothy E. Nauman  
FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP  
1100 Superior Avenue, 7th Floor  
Cleveland, Ohio 44114-2518  
(216) 861-5582

I hereby verify that the attached papers are a true copy of prior application U.S. Serial No. 09/770,021 as originally filed on January 25, 2001.

The undersigned declare further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

20 November 2001  
Date

Timothy E. Nauman  
Timothy E. Nauman  
Reg. No. 32,283  
FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP  
1100 Superior Avenue, 7th Floor  
Cleveland, Ohio 44114  
(216) 861-5582

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Frederic Lagace, et al.  
For : **VENTILATION SYSTEM**  
Serial No. : Unknown  
Filed : Herewith  
Group Art Unit : Unassigned  
Attorney Docket No. : CLW 2 0098-1-2

Assistant Commissioner for Patents  
Washington, D.C. 20231

**Box Patent Application**

c/o Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

**SUBMISSION OF FORMAL DRAWINGS**

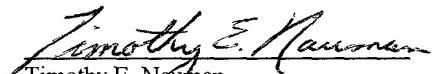
Dear Sir:

Applicants submit eighteen (18) sheets of formal drawing, FIGURES 1 -27, herewith.

Applicants believe no fees are due with the submission of this drawing; however, if any fees are necessary, please charge Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

  
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**CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10**

"Express Mail" Mailing Label Number: **EL672001404US**

Date of Deposit: **November 20, 2001**

I hereby certify that this Preliminary Amendment is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, **BOX Patent Application**, Washington, D. C. 20231.

  
Mary M. Schriner